

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ROBERT H. AYLOR, JR., on	)	
behalf of himself and all	)	
others similarly situated,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 05-222-SLR
	)	
XYBERNAUT CORPORATION, EDWARD	)	
G. NEWMAN, STEVEN A. NEWMAN,	)	
M.D., and THOMAS D. DAVIS,	)	
	)	
Defendants.	)	

O R D E R

At Wilmington this ~~16<sup>th</sup>~~ day of August, 2005, defendant Xybernaut Corporation having filed a Notice of Bankruptcy with the court on August 1, 2005 (D.I. 26);

IT IS ORDERED that said defendant shall be terminated as an active party in the above-captioned case until further order of the court.

  
United States District Judge